

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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L. TOOLASPRASHAD,

Plaintiff,

-against-

R. TOOLASPRASHAD,

Defendant.

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RACHEL P. KOVNER, United States District Judge:

ORDER

21-CV-4672 (RPK) (JRC)

Pro se plaintiff L. Toolasprashad filed this action against defendant R. Toolasprashad under the Americans with Disabilities Act (“ADA”). *See* Compl. 1 (Dkt. # 1). By Memorandum and Order dated October 25, 2021, the Court granted plaintiff’s application to proceed *in forma pauperis*, dismissed the complaint without prejudice for lack of subject matter jurisdiction, and granted plaintiff leave to file an amended complaint within 30 days from the date of the order. (Dkt. # 7). To date, plaintiff has not filed an amended complaint or otherwise responded to the Court’s order, and the time for doing so has passed.

Accordingly, the complaint is dismissed, without prejudice, for lack of subject matter jurisdiction. Fed. R. Civ. P. 12(h)(3). The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal of this Order would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962). The Clerk of Court is directed to enter judgment and close this action.

SO ORDERED.

/s/ Rachel P. Kovner

Rachel P. Kovner
United States District Judge

Dated: Brooklyn, New York
January 3, 2022